



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SOSTETENES MAYORGA, on behalf of himself
and other employees similarly situated,

Plaintiff,

-against-

AFFIDAVIT OF SERVICE
07 CIV 9530

23RD AND 9TH RESTAURANT CORP., d/b/a
Chelsea Square Restaurant, et al.,

Defendants.

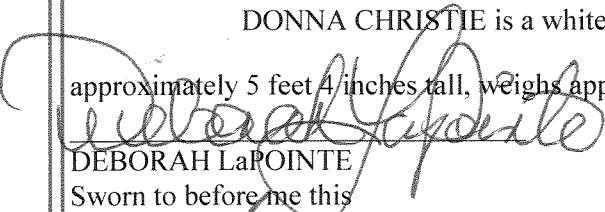
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STATE OF NEW YORK)
 S.S.:
COUNTY OF ALBANY)

DEBORAH LaPOINTE, being duly sworn, deposes and says that she is over the age of eighteen years, is employed by the attorney service, D.L.S., INC., and is not a party to this action.

That on the 30TH day of October, 2007, at approximately the time of 12:30P.M., at the office of the Secretary of State, of the State of New York in the City of Albany, New York, deponent served the SUMMONS AND COMPLAINT upon 23RD & 9TH RESTAURANT CORP., the defendant in this action, by delivering to and leaving with DONNA CHRISTIE an agent of the Secretary of State, of the State of New York, two (2) true copies thereof and at that time of making such service deponent paid said Secretary of State a fee of forty dollars. That said service was made pursuant to Section, 306 Business Corporation Law.

Deponent further says that she knew the person so served as aforesaid to be the individual in the Office of the Secretary of State of New York, duly authorized to accept such service on behalf of said defendant.

DONNA CHRISTIE is a white female, approximately 45 years of age, stands approximately 5 feet 4 inches tall, weighs approximately 135 pounds with blonde hair and blue eyes.


DEBORAH LaPOINTE
Sworn to before me this
30TH day of October, 2007

NOTARY PUBLIC